

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 3, 1967
10:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Absent: None

MENTAL HEALTH-MENTAL RETARDATION REQUEST

Mayor Akin opened the meeting with the Mental Health-Mental Retardation Committee at 10:00 A.M. Mr. Ed Bridges, Mr. Grover Shaunty and others appeared before the Council to request \$40,000.00 for MH-MR. The MH-MR Board had drawn up a proposal for a MH-MR Plan for Austin, had submitted a copy to the State MH-MR Department, and one to each member of the City Council. Mr. Bridges stated that it was necessary for the Council to approve the expenditure because the State would not release funds until matching local funds were available.

Mr. Grover Shaunty presented a short history of the activities of his organization. He estimated the budget for the next year to be \$1,500,000.00, coming from a variety of sources: Federal, State, and local. He stressed the importance of local funds because, he said, each year Federal funds would decrease. Although the City's support was projected to increase substantially each year, he hoped the City's share could remain constant, with the MH-MR people developing other sources of revenue. The State's support would increase each year. Already he had received \$22,000.00 from the County Commissioners, and he hoped to get other funds from the University, and designated funds and gifts to the MH-MR Center. The \$40,000.00 from the City could be cash or in-kind funds.

Mr. Shaunty answered questions about the types of in-kind contributions and the participation of the University of Texas in the program.

In response to a question from Councilman LaRue, City Manager James A. Wilson stated that the City's finances were not sufficient to provide the type of services offered by MH-MR. He said that the \$40,000.00 had not been included in the budget recommendation but if the Council wished to authorize the funds there were five ways to do so: (1) find additional revenue sources, (2) increase existing revenue sources, (3) reduce the amount that would be available for a general pay raise, (4) reduce the number of employees in a given area or several areas, or (5) reduce the planned purchase of equipment. He pointed out that the City would be involving itself in a continuing obligation if the Council authorized the expenditure of funds for MH-MR.

Mr. Bridges said that the money from the City would be required any time after September 1, 1967, when the State funds would become available. All the State needed to act was assurance from the City of Austin that it would grant the \$40,000.00.

Councilman Long was very much in favor of the program, saying that it was a part of the health program of the community and a worthy project. Mayor Akin felt that although the budget was tight and new sources of revenue would have to be opened, the program was worthwhile. However, he did not want the Council to pledge anything at that time.

Councilman Janes asked Mr. Shaunty what would happen if the City could give only \$15,000.00 to the MH-MR fund. Mr. Shaunty stated that MH-MR would then cut out several staff members since most of the funds were for staff. Mayor Akin wanted it to be understood that he was in favor of the program but he was opposed to funding a project before a source of the funds was found.

Councilman Long stated that if she had to choose between the \$30,000.00 for Aquafest and the \$25,000.00 for advertising Austin, and the \$40,000.00 for MH-MR she would choose the Mental Health-Mental Retardation Program as more important to the community.

Councilman LaRue felt that the money could be raised and he was in favor of approving the program that day.

Councilman Nichols then moved the Council pledge to the MH-MR Project the funds required during the year of October 1, 1967 through September 30, 1968 (\$40,000.00). The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols
Noes: Councilman Janes, Mayor Akin

Mr. Hub Bechtol, representing the Child Guidance Center, commended the Council on its action and the Mental Health-Mental Retardation people for their work in setting up the project.

ANNEXATION HEARING

Mayor Akin opened the public hearing scheduled for this time on the following annexation. Councilman LaRue moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

0.016 of one acre of land out of the Santiago Del Valle Grant -
Portion of Proposed COLORADO HILLS ESTATES, SECTION 1.

16.71 acres of land out of the James P. Wallace Survey No. 57 -
Proposed JAMESTOWN SECTION 3; Portions of LANIER SENIOR HIGH
SCHOOL site and FAIRFIELD DRIVE.

1.69 acres of land out of the James P. Wallace Survey No. 18 -
Proposed WESTOVER HILLS, SECTION 3, PHASE 5.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF (A) 0.016 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; (B) 1.69 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18 IN TRAVIS COUNTY, TEXAS; AND (C) 16.71 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

HEARING ON CHANGE IN MASTER PLAN

Mayor Akin opened the hearing requested by Western Industries, Inc. for a change in the Master Plan from Suburban Residential to Manufacturing and Related Uses for a 55 acre site located on U.S. Highway 183, approximately two miles outside of the City limits and approximately 2 and 1/2 miles by highway from the intersection of Balcones Drive and Highway 183. Western Industries, Inc. planned to locate on that site a firm called Communications Research, which would manufacture military, industrial and other types of radio antennas.

Mr. Hoyle Osborne, Director of Planning, described the adjoining tracts as Summit Oaks Subdivision, Angus Valley Subdivision, an unnamed residential area, and vacant land to the north and northeast with a crushed stone excavation area. He discussed the difficulty of effectively designating the uses of land outside of the City limits and of enforcing any standards in those areas.

The City's only sanction was the withholding of utility service and connections. City Attorney Doren Eskew stated that the City would be without remedy to enforce the Master Plan on land which did not require a subdivision plat or any City utilities. The only other way the City could check the planning of areas outside of the City was by annexation.

Mr. Osborne recommended that Western Industries, Inc. accept the Planned Development Area designation with a set of conditions related to the particular area and proposed development, instead of the Manufacturing and Related Uses designation. He stated that the Planned Development Area provisions had been established approximately one year ago and had been used several times.

Mr. Sam Sneed, representing the applicant, pointed out to the Council that most industries coming to a city were not interested in land already zoned "Industrial". He brought up the findings of a City study undertaken for the purpose of redefining the City's zoning ordinances. He said that one of the prime concerns of that study was the creation and establishment of an area known as M-1 Industrial Park Area, primarily for unplatted land along major thoroughfares. It was hoped that those designated areas would act as buffers between residential districts and other districts with more objectionable influence.

He then enumerated the industries in the same general area of the 55 acres in question and stated that at that time the Council had absolutely no actual control over the uses made of that land. He returned to the request he had made before the Planning Commission: that the land be designated as Manufacturing and Related Uses, with the applicants offering the following restrictive covenants:

- (1) To put in a green belt 50 feet wide along any adjoining property line. He stated that his plan offered greater protection to the adjoining residential areas than there would be if his offer were turned down and the 55 acres were left open with no right of control.
- (2) In addition, all buildings would be designed by a licensed architect.
- (3) No building or combination of buildings would be constructed or placed on the land so as to cover more than 25% of the land area.

(4) No building or combination of buildings would be constructed or placed on the land which would have a total square footage area in excess of 50% of the land.

(5) No building would be built to a height greater than 35 feet, except that for every 40 feet it was set back additionally from the setback line, one foot could be added to the height.

(6) As to off-street parking, there would be one on-site parking place for an automobile for every 300 square feet of building floor constructed for administrative offices and related facilities, and one on-site automobile parking place for each 500 square feet of building floor area constructed for manufacturing, warehousing, or similar uses.

(7) No sewage would be allowed to flow into existing streets or branches, or on the ground. There would be a septic tank or similar receptacle, in accordance with the regulations of the State Board of Health.

(8) No supplies or materials would be stored out of doors unless it were a set storage area set back at least 50 feet from adjoining property lines and shielded by a fence or other similar type of structure or planting of a height not to exceed 6 feet.

(9) Nothing contained in these restrictive covenants should be construed to prohibit the erection of a fence along the property line.

(10) No flashing or intermittent advertising signs would be erected or permitted to remain on the property when it would be situated within 100 feet of any adjoining residentially used property line; however, this restriction should not be construed to in any manner limit or prohibit the placing of lighting upon any building or equipment that may be required by law, regulations, ordinance, or other governmental requirements in the area of air spaces.

(11) These restrictive covenants would run in favor of the City of Austin, and it would be granted the right and authority to enforce the claim by any proceedings of the law.

Councilman LaRue then moved the Council grant the request for a change in the Master Plan to Manufacturing and Related Uses for the 55 acres, subject to the restrictive covenants Mr. Sneed had outlined. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long asked Mr. Osborne to bring to the Council his suggestions for improving the designation Planned Development Area, using any experience gained from the Communications Research case.

The Council then discussed the study Mr. Sneed had referred to, the one that had been presented to the Council two and one-half years earlier.

ANNEXATION ORDINANCE

Mayor Akin brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 5.0 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

AUSTIN TRANSPORTATION COMPANY FRANCHISE ORDINANCE

Mayor Akin brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING TO AUSTIN TRANSPORTATION COMPANY, INC.
AN AMBULANCE AND TRANSFER VEHICLE FRANCHISE.

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

CONTRACTS AWARDED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 26, 1967, for the installation of 726 feet of 8-inch concrete sanitary sewer pipe and 788 feet of 12-inch cast iron water pipe in Anderson Lane from Interstate Highway 35 West \pm 788 feet; and,

WHEREAS, the bid of Ford-Wehmeyer, Incorporated, in the sum of \$14,300.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ford-Wehmeyer, Incorporated, in the sum of \$14,300.00, be and the same is hereby accepted, and that James A. Wilson, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Ford-Wehmeyer, Incorporated.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

City Manager Wilson stated that the City had received identical bids for three 500 KVA Distribution Transformers; therefore, the Council was to select the contractor by casting of lots.

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 21, 1967, for three (3) 500 KVA Distribution Transformers for Electric Distribution; and,

WHEREAS, the bid of Sterett Supply Company, in the sum of \$7,011.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Sterett Supply Company, in the sum of \$7,011.00, be and the same is hereby accepted, and that James A. Wilson, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Sterett Supply Company.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: Councilman Long

Councilman Long objected to the casting of lots and noted that the identical bids should be sent to the Attorney General.

Mr. Jay W. Barnes, architect for Brackenridge Hospital, appeared before the Council to state that the City had awarded a contract to AA Electric Company for a nurse call system and a paging system for Brackenridge Hospital, while reserving the right to further consider the type of equipment needed. He had made a detailed study of the three manufacturers' bids and was reporting his findings back to the Council. Executone Inc., installed by the AA Electric Company, met all of the specifications. The Edwards Company agreed that its equipment did not meet all of the specifications and was not prepared to make any changes in its systems. The district manager of the Stromberg-Carlson Company had not yet responded to a request from Mr. Barnes to supply a list of similar installations in other hospitals, or a demonstration cabinet model for its nurse call and paging systems.

He, therefore, recommended the Executone, Inc. equipment, installed by the AA Electric Company, as the best bid, even though it was higher than those of the other manufacturers. Mr. Wilson also recommended that the contract be awarded to the AA Electric Company.

Mr. King, the Stromberg-Carlson representative in Austin, stated that his company could meet the specifications but his staff was hesitant to spend the time necessary to construct a model cabinet for the nurse call and paging system unless the company would be certain of getting the contract.

Councilman Nichols read a memo coming from two meetings with Herman Blum Engineers in Dallas. Those people had stated that the Stromberg-Carlson equipment had been demonstrated and rechecked against specifications. Mr. Allen Smith of that firm said that he found the equipment not only acceptable but he recommended it. Mr. Barnes said that he had called the Blum office for a recommendation but, he reported, after a second demonstration, he had received a letter dated May 9, including a statement that the system did not meet the specifications.

Mr. Bill Landis spoke in favor of the recommendation. City Manager Wilson noted that the Council could either award the contract to the bidder meeting all of the specifications or reject all bids. Councilman Nichols felt that it was not a good policy to write specifications that only applied to one brand of product.

Mr. Al Eldridge, Construction Engineer, stated that he was familiar with the Executone systems and he felt that the people of Austin would be real proud of the equipment.

Councilman Long noted that the morning paper had carried a story of the City's terrible shortage of money which would bring about higher taxes and charges. She felt that the \$10,000.00 difference between the Executone bid and the lowest bid was considerable and that the purchase would be a mistake.

After much discussion, Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, contract has been heretofore awarded to AA Electric Company for nurse call system and paging system for Brackenridge Hospital Development, Phase IA, reserving the right to further consider the type of nurse call system and paging system to be installed; and,

WHEREAS, the bids of Executone, Inc. for nurse call system and paging system were the lowest and best bids submitted meeting specified requirements, and the acceptance of such bids has been recommended by the Architects, the Supervising Engineer of Construction Engineering Division of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the installation of Executone, Inc. nurse call system and paging system be and the same are hereby accepted, and that James A. Wilson, City Manager of the City of Austin, be and he is hereby authorized to direct that the installation of such Executone, Inc. systems be installed by said AA Electric Company.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Mayor Akin
Noes: Councilmen Long, Nichols

RECESSED MEETING

CONTRACT AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin did heretofore on the 18th day of May, 1967, accept the bid of Federal Pacific Electric Company in the amount of \$404,960.00 for four (4) 69 KV Unit Substations, with one (1) scheduled for use at the Magnesium Substation; and,

WHEREAS, because of an increase in voltage needs in the area served by the Magnesium Substation, the Director of Electric Utility and the City Manager have recommended that a change order be prepared on our Purchase Order No. 05357, substituting one (1) 12/16/20 MVA, 138 KV Unit Substation for one (1) 69 KV Unit Substation, so as to provide for the increased voltage needs, which would increase the purchase price in the amount of \$13,520.00; and,

WHEREAS, the City Council has considered and desires to approve the execution and delivery of such change order by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, James A. Wilson, be and he is hereby authorized and directed to execute and deliver to said Federal Pacific Electric Company said change order, so as to provide for said substitution, in the amount of \$13,520.00.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

SPECIAL PAVING ASSESSMENT CERTIFICATE

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That James A. Wilson, City Manager, be and he is hereby authorized and directed to execute a transfer and assignment of the following Special Assessment Certificate to Sidney Purser; to-wit:

Special Assessment Certificate No. 6102-1016-60.39(c)P-2692(c) for the improvement of Manor Road, such certificate evidencing the special assessment of the sum of Eight Hundred and 67/100 Dollars (\$800.67) plus penalty and interest for a portion of the cost of improving such street levied against all of 164.44' x 300' and 50' x 150' (unplatted), Outlot 33, Division "C", City of Austin, Travis County, Texas, being the same property described in deed recorded in Book 1342, Page 1 of the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

VACATION OF ALLEYS ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WEST 28TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR WATER LINE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WHITIS AVENUE ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

EXECUTION OF DEED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That James A. Wilson, City Manager, be and he is hereby authorized and directed to convey to the State of Texas, the hereinafter described tract of land condemned of John Joseph, et al.

Such conveyance to be for and in consideration of the payment by the State of Texas of one-half (1/2) of the cost of condemnation of such tract in accordance with the terms of that certain contract entered into by and between the City of Austin and the State of Texas on the 9th day of December, 1963 for the acquisition of right-of-way for U.S. Highway 290 East from Interstate Highway 35 to Mira Loma Drive in the City of Austin; said tract of land being more particularly described as follows:

6.601 acres of land, more or less, out of a portion of the James P. Wallace Survey which lies within the corporate limits of the City of Austin, Travis County, Texas, which was conveyed to John Joseph by the following three (3) deeds: (1) Volume 2169, Page 104 dated April 28, 1960, (2) Volume 2169, Page 108 dated April 28, 1960, and (3) Volume 3135, Page 204 dated May 19, 1966, of the Deed Records of Travis County, Texas, said 6.601 acres of land being more particularly described by metes and bounds in one body as follows:

BEGINNING at a pin set at the point of intersection of the existing North right of way line of U. S. Highway 290 and the East line of Cameron Road, said intersection point being N 30° 14' E, a distance of 267.33 feet from Station 53+18.16 on the centerline of existing U. S. Highway 290;

THENCE, N 30° 14' E, a distance of 216.25 feet along the East line of Cameron Road to a post for angle point in property line;

THENCE, N 29° 25' E, a distance of 222.03 feet along said East line of Cameron Road to its intersection with the Southwest line of Athletic Drive, same being the Southwest line of the Austin Independent School District property;

THENCE, S 60° 31' E, a distance of 26.88 feet along said Southwest line of Athletic Drive to a stake for corner in the proposed right of way line of U. S. Highway 290;

THENCE, S 29° 07' W, a distance of 197.41 feet along said proposed right of way line to a stake for corner;

THENCE, S 15° 15' 22" E, a distance of 35.72 feet along said proposed right of way line to a stake for corner;

THENCE, S 59° 42' 42.4" E a distance of 229.77 feet along said right of way line to a stake for corner;

THENCE, S 84° 28' E, a distance of 534.19 feet along said proposed right of way line of U. S. 290 to its intersection with the South line of Athletic Drive at a point S 86° 24' W, a distance of 292.43 feet from the West line of Lenox Drive;

THENCE, S 60° 31' E, a distance of 220.65 feet along the Northeast line of said John Joseph property, same being the Southwest line of the Cameron Development Company property to a stake for the most easterly corner of the tract herein conveyed;

THENCE, S 31° 09' 28.4" W, a distance of 205.24 feet along the Southeast line of said Cameron Development Company tract to a stake for corner at its intersection with the existing North right of way line of U. S. 290 at a point N 31° 09' 28.4" E, 66.31 feet from centerline station 63+96.71;

THENCE, in a Northwesterly direction along said existing right of way line, following the arc of a curve to the right with a radius of 5669.65 feet and a long chord bearing N 84° 27' 18" W, 163.20 feet, an arc distance of 163.20 feet to a stake for corner;

THENCE, N 83° 38' W, a distance of 710.80 feet along said existing right of way line of U. S. Highway 290 to a stake for corner;

THENCE, N 27° 20' W, a distance of 221.69 feet along said right of way line to the place of beginning.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ZONING ORDINANCES

Mayor Akin brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
TRACT 1: A TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, LOCALLY KNOWN AS 1505-1827 MONTOPOLIS DRIVE, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
TRACT 2: A TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, LOCALLY KNOWN AS 1901-1909 MONTOPOLIS DRIVE AND 6300-6506 RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Janes moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Mayor Akin
Noes: Councilman Nichols

The ordinance was read the third time and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Mayor Akin
Noes: Councilman Nichols

The Mayor announced that the ordinance had been finally passed.

Mayor Akin brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
LOTS 1-4, BLOCK 13 OF HYDE PARK #2, LOCALLY KNOWN AS 309-311 WEST 39TH STREET, 3811-3817 AVENUE B AND 310 WEST 38-1/2 STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin
Noes: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

REQUEST FOR OPTION TO ACQUIRE CITY PROPERTY

City Attorney Eskew reported that the Southwest Christian Church wished to get an option to acquire property at Ben White and Banister Lane at terms previously agreed upon by the Council. Because the Council members were not satisfied with any part of the agreement, Councilman Long moved the Council not grant the option. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

MUNICIPAL MAINTENANCE RESOLUTION

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

A RESOLUTION PROVIDING FOR THE MAINTENANCE OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF AUSTIN, COUNTY OF TRAVIS, TEXAS, HEREBY REFERRED TO AS MUNICIPAL MAINTENANCE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND AFFIX THE CORPORATE SEAL AND ATTEST THAT CERTAIN AGREEMENT BETWEEN THE CITY AND THE STATE OF TEXAS, PROVIDING FOR THE MAINTENANCE AND USE OF THE SAID MAINTENANCE PROJECT.

WHEREAS, the public convenience, safety and necessity of the City, and the people of the City require that State Highway routes within the City be adequately maintained; and,

WHEREAS, the City has requested that the State of Texas, enter upon and contribute financially to the maintenance of said project; and,

WHEREAS, the State of Texas has made it known to the City that it will, with its own forces and equipment and at its sole cost and expense, enter upon and maintain said project, conditioned upon the provisions concerning liabilities and responsibilities for maintenance, control, supervision, and regulation which are set out in the form marked "MUNICIPAL MAINTENANCE AGREEMENT" dated August 3, 1967, covering FM 3015 within the city limits of Austin between U. S. 183 and U. S. 290; and,

WHEREAS, said project consists of those State Highways and/or portions thereof which are described and included in said "MUNICIPAL MAINTENANCE AGREEMENT" dated August 3, 1967; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

SECTION 1. That the public convenience, safety and necessity of the City and the people of the City require said project be adequately maintained.

SECTION 2. That the State of Texas be and is hereby authorized to enter upon and maintain said maintenance project.

SECTION 3. That the City Manager of the City, be and is hereby authorized to execute for and on behalf of the City an agreement with the State of Texas, in accordance with and for the purpose of carrying out the terms and provisions of this resolution in that certain "MUNICIPAL MAINTENANCE AGREEMENT" dated August 3, 1967 covering F.M. 3015 within the city limits of Austin between U. S. 183 and U.S. 290. The City Clerk is hereby directed to attest the agreement and to affix the proper seal of the City thereto.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

BUILDING PERMIT GRANTED

Mr. Eskew brought up a request for a building permit for property at 51st Street and Evans. The property owner's plan for development was in conflict with the Austin Transportation Plan. The property owner had proposed that the Council enter into an agreement with him to purchase the property for the MAI appraisal without severances, if the City needed it at a later date.

Councilman Nichols moved the Council grant the building permit, subject to the rules and regulations of the Building Inspector. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

SALES TAX PUBLIC HEARING

Mr. Ed R. L. Wroe, Chairman of the Sales Tax Study Committee originated by a large group of business people, appeared before the Council in favor of the proposed 1% sales tax. He stated that he was prepared to present additional information, gathered since his group requested one month earlier that the Council call an election to allow the people to vote on the sales tax question.

Senator Charles Herring explained to the Council the thinking behind the State Sales Tax. He said that the legislators felt that, because the basic necessities of life (food, prescriptions, rent, and certain clothing items) were exempted from the State Sales Tax, it would not burden the lower income groups but would provide a revenue that would grow each year with the number of sales in the state. Pleased with the revenue from the State Sales Tax and petitioned by Texas cities to allow a city sales tax, the Legislature passed the Permissive Sales Tax for Cities. The tax was limited to the items taxed by the State; the State would collect the taxes for the cities and the cities were permitted to hold elections to determine if the people wanted the city sales tax. The State Comptroller's Office would withhold 2% of the taxes collected for each city to cover the cost of bookkeeping.

Mr. Roger Hanks, President of the Austin Board of Realtors, appeared before the Council in favor of the proposed city sales tax, speaking in behalf of the Board and the homeowners of Austin. He asked the Council to grant the request to call an election on the sales tax question.

Mr. Wroe summed up his appeal for calling the election by presenting figures to show that the City needed additional revenue badly. He argued that the sales tax would cull revenue from the transient population in Austin and the people working in Austin and living outside of the City limits. He asked the Council to prepare an ordinance calling an election for September 30, the earliest legal date.

Mr. William B. Byers appeared before the Council in opposition to the calling of the election and to the sales tax. He was afraid that many homeowners would vote for the sales tax thinking that they would save money. He stated that for most Austin families, the 1% sales tax would cost more than a property tax increase of 22%. According to Mr. Byers, the tax burden fell more heavily on the lower income groups who would pay out a larger proportion of their salaries than those with higher incomes. He disagreed with the argument that Austin's city property tax had reached the limits of tolerance. He thought the rate could go higher without detriment. He thought that students were hard pushed financially already and could bear no more. He stated that the sales tax would drive away the retail business brought to the City by those living outside of the City limits but working in Austin.

Ms. Ruth Epstein, Chairman of the Travis County Democratic Women, presented a resolution asking that the election question be tabled until the new City Manager was in Austin.

Mr. John Davis opposed the tax because the search for new taxes was based on the greed of rich people in the City. He thought that the City was already overspending.

Mr. Volma Overton, President of the Austin branch of the N.A.A.C.P., also appeared in opposition to the proposed sales tax. He wanted to know more about the financial status of the City before he would be willing to consider a tax that would burden the poor more than the rich. Mr. Ben Montoya, representing the Austin Political Association of Spanish-Speaking Organizations, also expressed opposition to the proposed tax.

Mr. Douglas Wright asked the Council to consider taxing stocks, bonds, bank deposits, and other intangible assets before instituting a city sales tax. Mr. Harry Nolan believed that Austin could get along without tax increases at that time. Mr. William Roth thought that young people would be unduly affected by the sales tax and asked the Council to defeat the proposal.

Mr. Watt Neil, speaking for the University of Texas Young Democrats, listed the ways that University students did, in fact, contribute to the City's revenue.

Mr. Don Alford of the Travis County Liberal Democrats charged that the groups promoting the sales tax and providing all of the studies showing the need for the increased revenue were business groups that stood to gain by the sales tax. He stated that the business community owned 56% of the property on the tax rolls in Texas, while individual owners accounted for only 35%. Thus, the sales tax would be less burdensome on the business interests than on home owners. He thought that the media supported the business groups and that the public had been given incomplete coverage of the tax issue. He asked why the voters of Austin had been given no alternative broad-based tax to consider, such as a city income tax. He urged the Council not to call the election.

At the beginning of the hearing the Mayor and Council had agreed to allow each speaker six minutes to present his argument, not to exceed a total of one hour for each side of the issue. Mr. Alford's time ran out before he had finished his report. Councilman Long moved the Council extend his limit because he had spent considerable time working up his presentation. Mr. Alford said that he had called the Mayor's office Tuesday and had been assured that there would be no limitation on discussion. Mayor Akin said that he had not received note of Mr. Alford's call. Mrs. Barrow offered to give time to Mr. Alford.

Councilman Long stated that in the 14 years she had been on the Council, this was the first Council she had served on that refused to hear the general public on such an important question as this. She said she was ashamed that the Council set the ground rules to not hear people when they were interested in a fundamental issue that belonged to the City. She then moved the Council change the rules to allow people that had come to the meeting to speak as long as they needed to. The motion, seconded by Councilman Nichols, failed to carry by the following vote:

Ayes: Councilmen Long, Nichols
Noes: Councilmen Janes, LaRue, Mayor Akin

Councilman Long stated that she was ashamed to be on a Council that refused to hear people. Councilman LaRue said that he understood that after each side had given its presentations, the Council would increase the amount of time anyone needed.

Mr. Hondo, representing the Austin chapter of The American G.I. Forum, asked to go on record as opposing the referendum. He thought the issue needed more investigation before an election.

Ms. Helen Spear also expressed opposition to the sales tax, stating that the method of collection would line the pockets of storekeepers.

Mrs. Barrow asked the City Council and City Manager to make a thorough study of the tax and revenue situation in Austin before calling a referendum.

Mrs. Donn suggested other ways of getting increased revenue, without instituting a city sales tax.

Mr. Wroe summed up his arguments by saying it was the general consensus that most spending by low income persons would be for the necessities of life, which would be exempted from the sales tax. Therefore, those people would not bear an inordinate share of that burden. He was sure that any increase in property tax on a business would be transferred directly to consumers. He felt that a sales tax would cost low income groups less than those increases in the cost of goods. He thought that a tax on bank deposits and stocks would be hard to collect.

Mr. Bill Youngblood asked the Council to hold an election on the question to allow all of the people of Austin to speak for themselves.

Mrs. Gordon Mills and Mrs. Donn asked the Council to consider the cost and timing of any elections.

Mayor Akin stated that he was disturbed by the number of persons who seemed to distrust the financial advisors of the City and wanted to look into the budget themselves. He said that the City budget was certified by outside auditors each year and that he had confidence in the Finance Department, Mr. Norm Barker, Finance Director, and Mr. Wilson. He asked to go on record as supporting the advocates of the sales tax and he was in favor of calling the election.

Councilman Long was willing to submit the sales tax question to the people because they had a right to vote on the matter.

Councilman LaRue moved the Council ask the City Manager to ask the City Attorney to bring in an ordinance calling an election to be effective the 28th of August and that a special Council meeting to consider the ordinance be called for 10:00 A.M. that day. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long stated that although she was against the sales tax, she would submit the question to the voters.

Councilman LaRue thought the sales tax was particularly proper for the City of Austin because 52% of the property in Austin was not on the tax rolls.

Councilman Long asked that the fluoridation issue be put to the voters at the same time as the tax issue. Mayor Akin was against the proposal. City Attorney Eskew stated that there was a state law permitting an election for the sales tax but the fluoridation issue would have to come to the Council either by the initiative process or a referendum petition challenging an ordinance.

WATER FOR ROLLINGWOOD

City Manager Wilson reported that he had received a letter from Mr. Alfred Lehtonen, Councilman of Rollingwood, requesting Austin to sell water to Rollingwood at the regular out-of-city residential rates. He also stated in his letter that Rollingwood was financially prepared to expend all monies necessary to connect its water distribution system with points of supply from Austin, and to coordinate all work with City of Austin departments. Mr. Wilson said that the City needed right-of-way and an easement from The University of Texas for construction of lines and that those had been obtained.

Mr. Vic Schmidt, of the Department of Water and Wastewater, stated that Austin had been planning to extend a water line towards Rollingwood for the Austin users in the Zilker Park area, before Rollingwood had made its request. He recommended that the Council approve the extension of the line and that the City charge Rollingwood the same rate that it charged the water districts outside of the City. He added that a tie-in would not obstruct the service to Austin users. Rollingwood would have only one meter. He pointed out that his recommendation did not cover the question of a sewer line.

Mr. Schmidt asked that one of the stipulations of the agreement with Rollingwood be that the City of Austin would be given a space assignment for 48 feet of line in George B. Hatley Drive with the usual agreement that if Austin tore up the street it would rebuild it.

Mr. Lehtonen stated that he had been authorized to inform Austin that the City Council of Rollingwood would be willing to enter into a space assignment for Hatley Drive for that specific purpose.

Councilman Long then moved the Council authorize the City Manager to pursue the extension of a water line and an easement into the Rollingwood area, and to look into any other involvements, such as a sewer line. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

TRAVEL EXPENSES REIMBURSED

Councilman Janes moved the Council authorize the City Manager to reimburse the interviewees for the City Manager's job for their travel expenses. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

URBAN RENEWAL BIDS ACCEPTED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 115-67, by which the Board accepted the bid of Lloyd D. Jackson for the purchase of parcel R-33, a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 115-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 115-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Lloyd D. Jackson for the purchase of parcel No. R-33 in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 114-67, by which the Board accepted the bid of Grant Chapel Church for the purchase of parcel R-32, a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 114-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 114-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Grant Chapel Church for the purchase of parcel No. R-32 in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 109-67, by which the Board accepted the bid of Greater Mt. Zion Baptist Church for the purchase of parcels R-20(1), R-20(2), R-21 and R-27, tracts of land situated in the Kealing Urban Renewal Project No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 109-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 109-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Greater Mt. Zion Baptist Church for the purchase of parcels No. R-20(1), R-20(2), R-21 and R-27, in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 110-67, by which the Board accepted the bid of Scott Moore/Builders Incorporated for the purchase of parcels R-17(2), R-17(4), R-17(5) and R-31, tracts of land situated in the Kealing Urban Renewal Project No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 110-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 110-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Scott Moore/Builders Incorporated for the purchase of parcels No. R-17(2), R-17(4), R-17(5) and R-31, in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 113-67, by which the Board accepted the bid of Claudell Madison and wife Thelma Madison for the purchase of parcel R-16(2), a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 113-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 113-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Claudell Madison and wife Thelma Madison for the purchase of parcel No. R-16(2) in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 112-67, by which the Board accepted the bid of Andrew W. Humphreys and wife Drucie R. Humphreys for the purchase of parcel R-15(4), a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 112-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 112-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Andrew W. Humphreys and wife Drucie R. Humphreys for the purchase of parcel No. R-15(4) in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1967, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 111-67, by which the Board accepted the bid of Sylvester Stewart and wife Bernice Stewart for the purchase of parcel R-15(3), a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 111-67, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of August, 1967 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 111-67; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the Bid of Sylvester Stewart and wife Bernice Stewart for the purchase of parcel No. R-15(3) in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

RUMORS DISCUSSED BY CHIEF MILES

Councilman Nichols brought up rumors about trouble in East Austin and asked Chief of Police Bob Miles if there was any chance of possible trouble arising in that part of town. The Chief discussed some of the rumors and the ways they started. He mentioned that the National Guard had been made aware of the rumors and that the police were prepared.

MEETING SCHEDULED

Mayor Akin announced that a continuation of the discussion on the Austin Equal Citizenship Corporation would be held at 2:30 P.M. on August 17th during the Council meeting. The Council then discussed the Equal Opportunities Corporation. Mayor Akin was in favor of a meeting with that Committee to reorganize the purposes of that group. Councilman Janes suggested holding that meeting in September because he was afraid that such a controversial issue would stir up trouble in the hot summer in Austin. Councilman LaRue agreed with Mr. Janes, but Councilman Long thought the meeting should be as soon as possible.

AUSTIN COUNCIL FOR RETARDED CHILDREN

Mr. Eskew explained that the Austin Council for Retarded Children had requested the Council to consider a plan to move the frame building that was presently on the site of their new building to the Mary Lee School. Mrs. Charlene Crumm, owner of the Mary Lee School, had offered to pay for moving and setting up the frame building on its new site and then would pay the Council for Retarded Children \$100 for the building after the Council had moved into its new building. Dr. Albert Johnson, President of the Board of the Council, had asked the City to sell him the frame building for \$100 so that he could take advantage of Mrs. Crumm's offer. The Council had a 50 year lease from the City for the new building site so that the building would become City property at the time the lease expired. Mr. Eskew said that that arrangement was necessary to keep the Austin Council for Retarded Children in operation during the building of its new offices.

Councilman LaRue moved the Council authorize the City Manager to enter into the agreement outlined by the City Attorney. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

OFFER ON CITY PROPERTY REJECTED

Councilman Long moved the Council reject an offer of \$15,000.00 from Mr. Gaynor Kendall for property at Shoal Creek Boulevard and 39 1/2 Street, and that the City Council send that case to the Planning Commission for study and recommendation on the proper zoning and the vacation of an adjoining street. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

FROM THE CITY MANAGER

Mr. Wilson asked the Council for a short vacation the time he filed the budget with the City Clerk and the time Mr. Tinstman arrived to take over as City Manager. He asked the Council to appoint an acting City Manager for that time. He said that he had several personal matters to attend to and that he had not taken more than three weeks vacation in the ten years he had worked for the City.

REPORT ON PROGRESS OF NEGOTIATIONS
ON SALE OF PROPERTY AT 27TH AND GUADALUPE

The Council had before it consideration of the sale of City-owned property located at 27th and Guadalupe Streets and the purchase of right-of-way in the same area. The City would sell 5,464 square feet of land and purchase 3,295 square feet.

After some discussion among the Council and the City Attorney, Councilman Nichols moved the Council instruct the City Manager to enter into a contract to sell the City's portion for \$35,000 and buy the right-of-way for \$4.83 per square foot. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

(See Minutes of September 21, 1967 for appropriate Resolutions)

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Harry Akin
Mayor

ATTEST: _____

Grace Monroe
Asst. City Clerk